P.

G. R. S. IX-5]

Previous references.

File No. 164-9

1915-20

Serial Nos. 1

(C)

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos 1

Part B for February 1920.

SUBJECT.

Representation of Mr P. Mahadevayya Assistant Secretary, for promotion to the Grade of Sub-judge.

Rep. 9 6.2.20.

From.

Mr P. Mahadevayya. Asst Secy.

Prays that he may be appointed

a Sub-judge -

W D 1250—GPB—30,000 - 28-1-19

G. R. S. III—1] 1919-20

GENERAL AND REVENUE SECRETARIAT.

(CB.)

NOTES.

File No. 164-19

FILE HEADING.

Representation of Mr. P. Mahadevayya Asst Secy for promotion to the graded Subjudge

From Mr. P. Mahadevayya

No. Dated 6th Febr 1920 Received 6th Febr 1920

Diary No.	795	Enclos.	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Requests under the circumstances represented he may be appointed as a Sub Judge in the arrangements to be made on the retirement of Mr. N. T Gopalaiengar, Dy Judge-

NOTES AND ORDERS.

Ch: Secy's orders.

CB. Put up with references -
2nd

A copy of the Civil service order posted up to date is put up as also the Confl Reports of Mr. Mahadevayya in a sealed cover -

MM 14/2/1920

2nd member

May be considered when filling up his appts 2 4/2/20
Subl. Judgs.

Ch
27/2

NOTES—First Sheet.

4086
1.2.20

Serial No.

This application was considered along with the proposal of the Chief Court suggesting the appointment of Mr. G. Satyaji Rao as acting Sub Judge.

After consideration in Council Mr. G Satyaji Rao was appointed acting Sub Judge.

This may be recorded

H'M
6/5/1920

CB 3795

CB. 164-19-1

To

C. S. Balasundaram Iyer Esq., B.A.,
Chief Secretary to the Government of
His Highness the Maharaja of Mysore.

Sir,

In continuation of my recent representation, I most respectfully beg to place the following facts for the favourable consideration of Government.

2. In connection with the arrangements to be made on the retirement of Mr.N.T.Gopala Iyengar, District Judge, Bangalore, on the 9th March 1920, I beg to request that my claims for the post of a Sub-Judge may be kindly considered. The last vacancy of a Sub-Judge was given to a Munsiff, viz. Mr.T.Krishna Iyengar and under the Civil Service Rules in force, the present vacancy has to be given to an Assistant Commissioner.

3. Among the Assistant Commissioners, the only officers above me who have had judicial training are Messrs.Jayarama Iyer Ananda Rao Sirsi, Mylar Rao and Basavaradhya. Of these, the first three are acting as Deputy Commissioners and the fourth has been appointed as a First Class Magistrate; and my claims have now to be considered. While Rule (iii) of the subsidiary rules laid down under Clause (3) of Rule XIV of the Civil Service Rules, dated the 6th January 1913, has been interpreted against me, Rule (ii) of the same subsidiary rules is distinctly in my favour, and I respectfully submit that I am entitled to claim the benefit of the said rule. I beg to invite kind reference to paragraph (4) of my representation in which I have shown that though I was placed below Mr.S.Venkatakrishnaiya in the list of Munsiffs, my claims for the post of a Sub-Judge or a First Class Magistrate of the Sub-Judge's Grade are superior to those of Messrs.S.Venkatakrishnaiya and Satyaji Rao.

4. I have worked as Munsiff for more than 10 years and given entire satisfaction in the discharge of my duties. As to my character, capacity and legal attainments, I beg to refer the Government to the confidential reports forwarded by the late Chief Justice Sir Stanley Ismay, and the opinion furnished to Government by the present Chief Judge, Sir Leslie C. Miller, at the time of my transfer to the Secretariat in 1916. I venture to submit, without fear of contradiction, that no encouragement has hitherto been shown to me, either as a result of the liberal policy followed by Government with respect to qualified members of backward communities, or in recognition of my good work -- during the last 14 years of my service.

Conf. Reports [illegible] Secretariat Cover.

5. Under these circumstances, I most respectfully beg to request that in consideration of the grounds set forth above, the Government of His Highness the Maharaja may be pleased to take the exceptional hardship of my case into special consideration and to appoint me as a Subordinate Judge in the vacancy to arise on the retirement of Mr. N. T. Gopala Iyengar.

I beg to remain,

Sir,

Your most obedient servant,

Bangalore,
6th February 1920.

Maradevappa

To

~~C. S. Balasundaram Iyer, Esq., B.A.,~~

~~Chief Secretary to the Government of Mysore.~~

Sir,

I beg to request that the following representation of mine may be placed with your kind support, before the Government of His Highness the Maharaja of Mysore for their sympathetic and favourable consideration.

I am a native of Mysore and received my education at the Maharaja's College, Mysore. I passed my F.A. examination in the first class and won a State scholarship and special prizes in the B.A. classes and headed the list for the Mysore Province in the F.L. examination of the Madras University. Copies of testimonials given by Messrs J.Weir and T.Denham regarding my College career are submitted herewith for favour of perusal. I graduated from the Law College in 1901 and enjoyed a lucrative practice at the Bar for more than 4 years occupying the front rank among the Advocates of the Chief Court. As Munsiff I have worked in most of the heavy Courts of the Province for more --- than 10 years and given satisfaction in the discharge of my duties. I have also worked as second class Magistrate in Sagar, Hole-narsipur & Kolar Gold Fields. I beg to be permitted to refer to the following facts in my favour:-

During the period of my acting appointment as Munsiff at Narasimharajpur (Yedehalli), I detected a series of embezzlements in the said Court under exceptionally difficult circumstances and the then Chief Judge Mr. A.E. Staley has made the following appreciative reference to my work:-

"Mr. Mahadevaiya. He has lately been officiating at Yedehalli and shown himself an excellent officer in my opinion. He did particularly well in at once examining his office and detecting a fraud in the accounts, saving Government from a considerable loss at the time and a greater probable loss in the future".

Vide extract furnished by Mr. E. Maconochie, I.C.S., Private Secretary to His Highness the Maharaja from D.O. letter from the Chief Judge, dated the 1st February 1906 (copy submitted for perusal).

Reference has been made to this extract by Mr. Justice T.Paramasiva Iyer (then District Judge) in his letter No.1728-307 dated the 10th December 1906 to the Chief Court in which he was pleased to make the following remarks:-

"Mr. Mahadevaiya, acting Munsiff of Chikballapur is a young man of good physique and considerable natural abilities, and I formed a very favourable impression of him while he was a Pleader in Tumkur and an Acting Munsiff in Mysore. He richly deserves confirmation as Munsiff and nomination to the Maharaja's Civil Service. An extract from a letter addressed by the late Chief Judge the Hon'ble Mr. Staley to the Private Secretary to His Highness the Maharaja, furnished to Mr. Mahadevaiya by Mr. Maconochie is also forwarded and shows the high opinion held of Mr. Mahadevaiya by the late Chief Judge".

(2) At a time when the work in the Court of the Munsiff of Seringapatam was in a very congested state and the Chief Judge had recommended the appointment of an additional Munsiff to reduce the heavy file, I was put in charge of the said Court in the year 1910 on the recommendation of two District Judges. Within one year, I cleared the arrears and brought the file to the level of the other Courts in the Mysore Division and removed the necessity for the opening of an additional court. In this connection, I would invite kind reference to the following proceedings of the District Judge, Mysore Division:-

No. 1464/101, dated the 16th October 1911.

"As usual, the highest number of disposals is in the Court of the Munsiff of Seringapatam. The disposal in the Court of the Munsiff of Nanjangud is fair, in the Courts of the Principal and Additional Munsiffs of Mysore and the Munsiff of Hassan satisfactory and in the - - Court of the Munsiff of Seringapatam, the disposals are very satisfactory".

No.1375-81/C.95 dated the 15th October 1912.

"The total disposals in all the Courts are satisfactory, the highest number being 171 in the Court of the Munsiff of Seringapatam".

In forwarding myapplication for transfer for favourable consideration to the Chief Court, Mr. Justice R.B. Plummer (then District - - Judge) was pleased to add the following remarks in his letter No.88/ Camp, Hassan, dated the 20th August 1912:-

"Mr. Mahadevaiya has worked very hard and well and has cleared off a considerable amount of arrears, ..."

In the notes of inspection of the Dodballapur Munsiff Court on the 24th June 1914, the same Judge was pleased to record as follows:-

follows:-

"In conclusion, I am glad to place on record the fact that the work of the Judge Mr. P. Mahadevaiya and of the office for the period under inspection has been very satisfactory".

(3) As regards my character, capacity and legal attainments, I beg to refer the Government to the confidential reports forwarded by the late Chief Justice Sir Stanley Ismay, and the opinion furnished to Government by the present Chief Judge, Sir Leslie Miller, at the time of my transfer to the Secretariat in 1916.

(4) I belong to a backward community which is poorly represented in the public service and I respectfully venture to submit that my advancement in service has not been commensurate with my qualifications and aptitude. My attempts even to enter the public service were not successful for a long time though my aspirations frequently received promises of countenance and support from the highest officers holding the position of Dewan, Councillors and Chief Court Judges even from the time of Sir K. Seshadri Iyer. I was recommended for the post of Judicial Probationer so far back as in 1901 long before Messrs. T. Venkoba Rao, D.K. Rama Rao, G. Srinivasieyer and S. Hiriyanniah were appointed Munsiffs; but I was not able to secure admission into service until 1905 and 1906, and the exceptional hardship of my case was expressly referred to in the assurance which the Government were - - - pleased to give me in G.O.No.J.8692/Cts.313-05-1 dated the 19th June 1906 and G.O.No.J.358/Cts. 329-05-2 dated the 8th August 1906 copies of which are submitted herewith for favour of reference. I was above Messrs. Hiriyanniya and Srinivasa Iyer as can be seen from the Civil list ~~1st~~ dated 1st July 1905 and 1st January 1906 which do not include the name of Mr. Venkatakrishnaiya. Again, though I had been appointed Munsif in March 1905 before I completed my 30th year under the age rule then in force, my claims were overlooked and the permanent vacancy at Seringapatam was given to Mr.G.Satyaji Rao though he was ineligible under the rules and his name had been scored out by the Chief Court. His appointment was made in contravention of an existing rule which was in my favour and the rule itself was subsequently altered to justify

the said appointment. This procedure prejudiced my interests to a considerable extent and enabled Messrs. G. Satyaji Rao and S. Venkatakrishnaiya to become my seniors. I have mentioned these facts to show that though I was placed below Mr. S. Venkatakrishnaiya in the list of Munisffs, my claims for the post of a Sub Judge or first class Magistrate of the Sub-Judge's grade are superior to those of Messrs. S. Venkatakrishnaiya and G. Satyaji Rao, and that my case, by reason of the many disappointments suffered for no fault of mine, deserves to be treated with a certain amount of sympathy and consideration at the hands of Covernment.

(5) My recent transfer from the Judicial to the Administrative line has placed me in a disadvantageous position. While Messrs. Sirsi Ananda Rao, Mylar Rao and Jayaram Iyer were given their proper rank among the Assistat Commissioners, and Mr. S. Hiriyannaiya even got an increase of pay in his appointment as Assistant Commissioner in 1908, I have been placed below the last man in the last grade of Assistant Commissioners although I was a Senior Munsiff at the time of my selection. Not less than 9 officers have been placed above me and I am given an allowance in lieu of the increment which I had earned in the Judicial Department. I pointed this out and even requested that I may be treated in the same way as Mr. G. Srinivasa Iyer but the late Dewan Sir M. Visvesvaraya was pleased to assure me that the rules would soon be changed. This has not been done. On the other hand, it is now stated to be under contemplation to do away with the rule which enables qualified Assistant Commissioners to be appointed as Sub Judges. I respectfully beg to submit that if the rule is so changed, it will work as a great hardship on me in particular whatever might be the reasons to justify such a change. I am now 44 years old. The chances of my rising in the Executive line seem to be very remote since the last place among the Assistant Commissioners has been assigned to me and the change of rules under contemplation would permanently debar me from aspiring for

for higher appointments in the Judicial Department.

(6) Among the Assistant Commissioners, the only officers above me who have had judicial training are Messrs. Jayaram Iyer, Ananda Rao Sirsi, Mylar Rao and Basavaradhya. Of these the first three are acting as Deputy Commissioners and the fourth has been appointed as a first class Magistrate, and my claims have now to be considered for the place of a Sub Judge or of a first class Magistrate of the Sub-Judge's grade. I may be permitted to submit that no encouragement of any kind has till now been shown to me, either as a result of the liberal policy followed by Government with respect to qualified members of backward classes or in recognition of my good work during the last 13 years of my service. If I had remained at the Bar in which I was senior bothto Messrs. Shankaranarayana Rao and Ramaswamy Iyengar, I have every reason to believe that my claims for the post of the Government Advocate or that of a Subordinate Judge would have received early recognition considering the practice and reputation which I had built up and the good opinion recorded by the Judges of the Chief Court.

Under these circumstances, I most respectfully beg to request that in consideration of the general and special grounds set forth above, the benign Government of His Highness the Maharaja may be graciously pleased to take the exceptional hardship of my case into special consideration and

(i) to give me my proper rank among the Assistant Commissioners as was done in the cases of Messrs. Jayaram Iyer, Mylar Rao, Ananda Rao Sirsi and S. Hiriyannaiya; and

(ii) to favourably consider my claims for the post of a Subordinate Judge or to one of the Special First Class Magistrates of the Sub Judge's grade to be newly appoimted from the 1st January 1920.

For this act of kindness, I shall ever feel grateful.

I beg to remain,

Sir,

Your most obedient servant,